

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
vs.) EDTN Mag No. 1:16-MJ-154
LAMICHAEL SHAUNTELL) N.D. of AL Dist. Case No. 5:16-cr-144-HGD
TATUM)
) Judge Steger
)
)

MEMORANDUM AND ORDER

Defendant LaMichael Shauntell Tatum ("Defendant") came before the Court on June 8, 2016, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure, for an initial appearance on a Bill of Information (hereinafter "Information") out of the Northern District of Alabama.

After being sworn in due form of law, Defendant was informed or reminded of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

The Court determined that Defendant wished to be represented by an attorney and that he qualified for the appointment of an attorney to represent him at government expense. Consequently, the Court APPOINTED Federal Defender Services of Eastern Tennessee, Inc. (specifically, Myrlene Marsa) to represent Defendant at the hearing.

Defendant was furnished with a copy of the Information and had an opportunity to review that document with his attorney. The Court determined that Defendant was capable of being able to read and understand the Information. At the Court's request, AUSA Michael Porter explained to Defendant the offenses detailed in the Information. Defendant acknowledged that he understood the offenses with which he is charged in the Information.

The Court explained to Defendant that he had a right to an identity hearing to determine whether he is the person named in the Information; a right to production of the warrant (or a certified copy or electronic copy); a right to a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed; and a hearing on the government's motion for detention. The Court further explained to Defendant that he had a right to transfer these proceedings to the prosecuting district, which, in this case, is the Northern District of Alabama.

Following consultation with his counsel, Defendant agreed to waive an identity hearing, production of the warrant, preliminary hearing and a detention hearing in this Court, and to

request transfer of those proceedings to the Northern District of Alabama. The Court confirmed that Defendant would be entitled to such proceedings in the prosecuting district at a date and time set by that Court.

It is, therefore, ORDERED that:

1. Defendant shall be RELEASED on his own recognizance pending his appearance before the Federal District Court for the Northern District of Alabama.
2. Defendant shall appear in the Federal District Court for the Northern District of Alabama on June 9, 2016 or on such other date as is prescribed by the appropriate judge of that Court. The Clerk of Court for the Northern District of Alabama should immediately notify the United States Attorney for that district of Defendant's arrival so that further proceedings may be promptly scheduled before a U.S. Magistrate Judge.
3. The clerk for the Eastern District of Tennessee shall promptly transmit the papers relating to this case to the Northern District of Alabama.

ENTER.

s/Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE